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"The State of Civil and Political Rights in Hong Kong"

Thank you, Co-Chairs and Members, of the Commission, for the opportunity to testify today.

The "Pillar of Shame" is a 26-foot-high towering sculpture. It depicts 50 twisting and screaming faces and forms representing those cut down during the violent crackdown by the Chinese government in Tiananmen Square in 1989.

The sculpture, by the Danish artist Jens Galschoit, was first displayed publicly during the annual June 4th vigil organized by the Hong Kong Alliance in 1997.

When it was first erected, the sculpture served as a "canary in the coal mine" ahead of the July 1, 1997 handover. Would there still be freedom of speech when Hong Kong post-handover? Will Hong Kong remain unchanged for 50 years as promised? Would the CCP allow the ongoing public commemoration of Tiananmen?

And so it has stood, for the past 24 years, on the grounds of the University of Hong Kong. Every year, activists would gather to wash the sculpture by hand in a solemn ritual of remembrance.

It is also the last remaining public memorial of Tiananmen standing on Chinese soil.

Last week, the University of Hong Kong sent a letter to the Hong Kong Alliance, stating that the sculpture must be removed by Wednesday, October 13, at 5 pm Hong Kong time, or "it will be deemed abandoned" and removed.

At the June 4 ceremony earlier this year, a student was asked the sculpture matters, "We hope to defend historical truth given that our freedom of speech is dwindling."

Albert Ho, former legislator and chair of the Democratic Party and the last elected chair of the Alliance before it was disbanded, said in 2018:

"Any attempts to move the Pillar of Shame would symbolize a complete stripping of the university's freedom of speech and expression.

The pillar standing here symbolizes not the fight for freedom and democracy but an even more fundamental thing: freedom of expression. So I think no one will dare challenge this core value.

I hope the university understands that free thought, free speech, free expression, and free research are most important. If even these freedoms are gone, then the school should be closed down.”

If the sculpture is indeed removed in the coming days, Ho would not have a chance to see it. He, himself, is now a political prisoner behind bars.

You have heard from my esteemed colleagues on this panel on the rapid decline and disappearance of all forms of civil and political rights.

I want to wrap up with a few additional observations:

What Beijing has done in Hong Kong requires the consent and collaboration of private and international businesses.

The President of the University of Hong Kong, Professor Zhang Xiang, himself an American citizen, hired Mayer Brown, an American law firm founded in Chicago, to enforce the removal of the Pillar of Shame.

Mayer Brown spokesperson said in a statement, "We were asked to provide a specific service on a real estate matter for our long-term client, the University of Hong Kong. Our legal advice is not intended as a commentary on current or historical events."

Mayer Brown joins a long list of enablers of human rights atrocities in history, and they are certainly not the only or the last.

Cathay Pacific, the Hong Kong-based airline, made headlines in 2019 when it fired employees for voicing political views. Employees were called into interrogations where they were confronted with screenshots of their social media postings deemed sympathetic to the protest and then fired immediately on the spot. Chinese authorities ordered the airline to bar employees who supported the protests from working flights to mainland China. Cathay's chief executive ultimately resigned.

Four of the world's biggest accounting firms - PwC, Deloitte, KPMG, and EY - issued statements denouncing a full-page ad supporting the protests - paid for by a group of their own employees.

Most troubling is when businesses like Mayer Brown choose to or are recruited into enforcing the law on behalf of the authorities.

In May, Hong Kong police ordered Wix.com, an Israeli web service, to take down a website linked to Hong Kong pro-democracy activists. Authorities have also demanded personal and private data from tech companies.

The absence of the People's Liberation Army and rolling tanks like Tiananmen or barbwires and internment camps like those in Xinjiang does not mean that the crackdown in Hong Kong has been any less brutal, swift, and complete.

The tools are different, but the results are the same.

This week, a group of UN human rights experts expressed concern about the arrest of another Hong Kong Alliance leader, Chow Hang-Tung, on charges of "incitement to subversion" and being a foreign agent.

They warned that "terrorism and sedition charges are being improperly used to stifle the exercise of fundamental rights, which are protected under international law, including freedom of expression and opinion, freedom of peaceful assembly, and the right to participate in public affairs"

They added, "The cheapening of the seriousness of terrorist acts and sedition offenses, when Governments improperly use them to justify quelling domestic dissent, limiting protests, and curbing criticism by civil society and human rights defenders, is deeply troubling."

The US and this Commission must respond quickly and urgently:

- Hold those responsible for depriving civil and political rights in Hong Kong with targeted sanctions and public condemnation.
- The Lantos Commission should adopt and highlight the plights of political prisoners such as Jimmy Lai, Chow Hang-Tung, Gwennyth Ho, etc.
- Demand US and international businesses, like Mayer Brown, who operate in the US to answer for their complicity in the crackdown in Hong Kong and the mainland.

As we sit here today, the Pillar of Shame still stands - hundreds of Hong Kongers and journalists have been keeping watch over it around the clock since the news broke of its impending removal.

There might not be a more timely and apt metaphor to the current state of civil and political rights in Hong Kong than the fate of the Pillar of Shame.

Its creation and unveiling in 1997 was a touchstone for freedom in Hong Kong. Its impending removal and destruction in 2021 is a tombstone for freedom in Hong Kong.

We urge this body and its allies to help keep freedom alive.